

**MEETING NOTES OF THE
LAKE ELSINORE/CANYON LAKE TMDL
TASK FORCE MEETING**

July 12, 2011

PARTICIPANTS

Cathy Jochai
Scott Sewell
Jim Grimm
Rita Thompson
Kent Wegelin
Dan Mudrovich
Doug Edwards
Ron Young
Steve Pastor
Jason Uhley
Pat Boldt
Mark Norton
Rick Whetsel
Sara Villa

REPRESENTATIVE

Caltrans
CA Department of Fish & Game
City of Canyon Lake
City of Lake Elsinore
City of Moreno Valley
City of San Jacinto
Eastern Municipal Water District
Elsinore Valley Municipal Water District
Riverside County Farm Bureau
Riverside County Flood Control & WCD
WRCAC
Santa Ana Watershed Project Authority
Santa Ana Watershed Project Authority
Santa Ana Watershed Project Authority

Call to Order & Introductions

The Lake Elsinore/Canyon Lake TMDL Task Force meeting was called to order at 1:30 p.m. by the Chair, Ron Young at Elsinore Valley Municipal Water District, Lake Elsinore, California.

Public Comments

The public was invited to address the Task Force on matters within its jurisdiction. There were no comments.

Approval of the Meeting Notes

The Task Force meeting notes of May 31, 2011, and TAC meeting notes of June 14, 2011; were approved as submitted.

Action Item: Approve Letter from Task Force to WRCAC discussing Agricultural Contributions through FY 2011

Mr. Young provided a letter addressed to WRCAC stating that Agricultural Operators who are members of WRCAC have fulfilled their financial obligation to the Lake Elsinore & Canyon Lake Nutrient TMDL Task Force through FY 2010-11. He asked the stakeholders to review it and recommended it be approved and signed. The letter was unanimously approved by the Task Force.

Update: Regional Board response to Task Force and Regional Board meeting regarding compliance approach

Mr. Norton stated that the Regional Board's response was that they haven't heard back from their Legal Counsel and once they do, they will let us know. They are hoping to hear something by the end of July. Mr. Norton was informed by Hope Smythe to make sure we had a back-up plan in case things didn't go as planned.

Update: FY 2011-12 Task Force Deliverables

Mr. Whetsel provided the handout *TMDL Task Force/Riverside Co MS4 Permit Deliverables Due in FY 2011-12* to the Task Force. He briefly reviewed the schedule and pointed out the status of the deliverables. Mr. Norton asked Mr. Uhley if the O&M Agreement for Lake Elsinore Aeration and Mixing Systems was submitted to the Board. Mr. Uhley stated that he would look into it. Mr. Whetsel noted that the Annual Report for In-Lake and Watershed Monitoring are due August 31, 2011, and the Comprehensive Nutrient Reduction Plan (CNRP) is due December 31, 2011. Ms. Boldt noted that we also have the Ag NMP due in December 2011.

Mr. Whetsel asked what the Task Force wanted to do with regard to the watershed monitoring and asked if stakeholders wanted to extend Brown & Caldwell or put out a Request for Proposals (RFP). Mr. Uhley stated that the letter that was submitted to the Regional Board in April committed them to extend the Phase 1 monitoring and defer the Phase 2 monitoring for one more year. After a brief discussion it was recommended by the Task Force that LESJWA staff issue a RFP for the watershed monitoring work.

Update: Amendments to extend TMDL Task Force Agreement Status

Mr. Norton stated that Amendment No. 2 was approved at the LESJWA Board meeting on June 16th and it was sent out to the Task Force for signatures. Mr. Whetsel stated that a comment was received by Riverside County Flood Control District as to Amendment No. 1 not being completed, and that the County would have difficulty in signing Amendment No. 2. He noted that they are still waiting on six entities that have not signed Amendment No. 1, and he's contacted each entity to find out what they planned to do. Ms. Jochai from CalTrans said that is in the hand of their legal counsel, though they will handle each Amendment separately, she expects they will be submitted together for approval and signatures. Mr. Sewell stated that no one in the Department of Fish & Game was identified to address this and no money was allocated in the budget, however they still want to be in compliant with the Task Force. Mr. Sewell noted that FY 2009-10 was paid, but there was no funding allocated FY 2010-11. Mr. Whetsel asked him to look into it because our records show that LESJWA did not receive the FY 2009-10 contributions. Mr. Sewell said he would email him. Mr. Norton asked Mr. Sewell if it is likely that the state will sign the Amendments, he stated that he doesn't know he would need to talk to their legal counsel. He noted that there are conflicting interests in their management on the direction on their funds for this and other programs.

Mr. Norton asked the Task Force if there is going to be any problems with money coming in, even though the Amendments have not been in place. Both Ms. Jochai and Mr. Uhley noted that it could be a problem for their Agency. Mr. Norton and Mr. Uhley then reviewed the Agreement language with regard to when the Agreement was considered to be in effect. Noting Covenant 22 Counterparts, "This Agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument", they agreed that the Agreement is considered effective once at least two parties have signed the Agreement, among those signing parties.

Mr. Norton then asked the Task Force if and when we submit submittals to the Regional Board are we still carrying everybody if they haven't signed their Amendments and haven't paid their dues. Do we just carry the Department of Fish and Game and hope for the best, or should we do something else. Ms. Boldt asked what the Regional Board would do if they didn't sign the Amendments and didn't pay their dues, would they submit a 13267 letter and charge them daily fees. Mr. Sewell stated that they can be billed but the State will not pay any fees. Discussions ensued in regards to notifying the Regional Board on this matter, or just continue to contact the representatives from each entity and encourage them to take action. Mr. Norton recommends that we continue to carry the Department of Fish & Game and just hope for the best.

Update: FY 2011-12 Task Force Budget

Mr. Whetsel provided the approved Task Force Budget for FY 2011-12 and gave a brief description of the line items. He also provided a credit worksheet showing all of the budget allocations throughout the history of the Task Force. He noted that we have \$418,780.65 in the Task Force account. Mr. Young suggested that for the next fiscal year we should keep a running tab on who paid how much so that we can keep it transparent as to who's doing what.

Update: Prop 40 (LESJWA) Lake Elsinore Back Basin Wetlands BMP Implementation Project

Mr. Whetsel said that Mr. Kilroy got into contract with Shay Lawrey with Tom Dodson Associates and is working with Department of Fish and Game on trying to finalize their permits. He noted that they've received good feedback on the design and it's moving along.

Schedule Next Meeting

The next Technical Advisory Committee Meeting is scheduled for Monday, August 15, 2011 at 1:30 p.m.

Adjourn

As there was no further business for review, the meeting adjourned at 2:38 p.m.